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May 14, 2008

Via Fax No.: 914 390-4085

MEMO ENDORSED

Appelleator Searled Conference
of May 23, 2008 is re-scheduled
for July 25, 2008 at 9:00 AM - Discovery
is extended to July 24, 2008

so Ordered

Charles L. Brieant U.S.D.J.
5/16/2008

Hon. Charles L. Brieant, U.S.D.J.
United States District Court – Southern District of New York
300 Quarropas Street
White Plains, NY 10601

RE: Rose Mirdita v. Atlantic Refining & Marketing Corp. and Sunoco, Inc. (R & M)
07 Civ. 7444 (CLB) (MDF)
Our File No.: 3156

Dear Justice Brieant:

At the last conference held on March 28, 2008 before Your Honor, Your Honor indicated that the Court should be notified if the parties would not be ready for trial at the conference presently scheduled for May 23, 2008. Unfortunately, the case requires additional discovery.

It is the purpose of this letter to ask for additional time to complete discovery. Both plaintiff's and defendants' counsel join in this request.

The reason for the request is that defendant has still not been able to identify the entity which installed the car stoppers upon which plaintiff fell. Additionally, although approximately five prior employees of defendants were subpoenaed to testify, only one appeared.

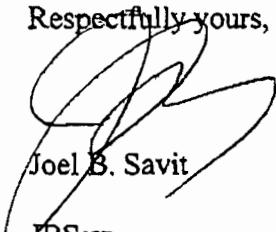
Furthermore, defendants have agreed to produce two employees for depositions. One will hopefully shed light upon the identity of the entity which did install the car bumpers , and the other will testify as to his observation while working at the time of, and prior to, the occurrence.

Additionally, defendants have requested to take the depositions of plaintiff's experts. Plaintiff is also in the process of serving Notices to Admit and Requests to Produce Documents. There are other outstanding issues to be resolved.

Although James Haynie, counsel for defendants, and I intended to send a joint request for additional time, he necessarily has been unable to do this today since his fifteen month old daughter is undergoing a surgical procedure.

I thought it would be prudent to advise the Court as soon as possible that both parties would be requesting additional time, and if the Court is agreeable permitting the parties to revise the time limits set forth in the Court's original scheduling order.

Respectfully yours,



Joel B. Savit

JBS:sr

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